

UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

---

TRUSTEES OF THE OUTSTATE  
MICHIGAN TROWEL TRADES HEALTH  
& WELFARE FUND, et al.

Plaintiffs,

Case No. 1:18-CV-753

v.

HON. ROBERT J. JONKER

A.J. REHMUS & SONS, INC.,

Defendant.

---

**ORDER**

This matter was filed on July 9, 2018. Defendant was served with the complaint on August 21, 2018. On October 12, 2018, the Court issued an Order to Show Cause setting a date by which Plaintiffs were to request a default as to Defendant, or show cause why the case should not be dismissed for failure to prosecute. Plaintiffs responded to the order by indicating the parties had resolved the matter, and that once the payment received from Defendant had cleared, a request to dismiss the case would be filed. It has now been over sixty days since Plaintiffs have received Defendant's payment, and nothing further has been filed with the Court. Accordingly,

This matter is dismissed without prejudice for lack of prosecution under W.D. Mich. LCivR 41.1.

Date: January 11, 2019

/s/ Robert J. Jonker  
ROBERT J. JONKER  
CHIEF UNITED STATES DISTRICT JUDGE